

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No. 09/829,985

REMARKS

In the present Amendment, claims 1, 13, 17 and 18 have been amended to replace "on both sides of layer A comprising amorphous polyolefin, layer B" with --on each side of layer A a layer B, said layer A comprising an amorphous polyolefin, and each of said layers B--.

Claims 5, 6, 9, 10, 12, 13, 15, 17 and 18 have been amended for clarity.

Applicants respectfully submit that entry of the present Amendment after final Office Action is appropriate, because the amendments are made merely for clarification purposes. Upon entry of the Amendment, claims 1, 4-13 and 15-18 will be all the claims pending in the application.

In Paragraph No. 3 of the Office Action, claims 1 and 4-18 have been rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite.

Applicants respectfully submit that claims 1 and 4-8 as amended are not indefinite. As mentioned above, in the present Amendment, Applicants have amended claims 1, 13, 17 and 18 to replace "both sides of layer A comprising amorphous polyolefin, layer B" with --each side of layer A a layer B, said layer A comprising an amorphous polyolefin, and said layer B--, as suggested by the Examiner.

The word "directly" means that there is no other layer in between the pressure-sensitive adhesive layer and the layer B. The phrase "by rolling" used in the present specification has its ordinary meaning, as described on page 1, line 10 and page 17, line 15. Accordingly, Applicants

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No. 09/829,985

respectfully submit that one of ordinary skill in the art would clearly understand the terms “directly” and “by rolling” as used by Applicants.

In view of the above, the Examiner is respectfully requested to reconsider and withdraw the §112 rejection.

In Paragraph No. 4 of the Office Action, claims 1, 4-13 and 15-18 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by or, in the alternative, under 35 U.S.C. §103(a) as allegedly obvious over Yamaoka et al (US 5,616,420).

Applicants respectfully submit that claims 1, 4-13 and 15-18 as amended are not anticipated or rendered obvious over Yamaoka et al for the following reasons.

Although the film described in Yamaoka et al may also be used as a base material for a pressure-sensitive adhesive tape, Yamaoka et al indicates that the film is mainly used for packaging. Accordingly, Yamaoka et al aims at keeping the characteristics necessary for a packaging material (i.e, drop impact strength, heat sealability, flexibility and elasticity) excellent.

On the other hand, the film of the present invention is used as a medical adhesive tape. Drop impact strength and heat sealability are not required.

Further, one of the objects of the present invention is to obtain a film having the same characteristics as those of the conventional polyvinyl chloride base material, in particular, to obtain a film whose stress relaxation has been improved resulting in relief of stimulation to the skin. However, Yamaoka et al is silent about this object of the present invention. Still further,

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No. 09/829,985

adhesive tape exhibiting an improved performance upon application can be obtained by incorporating a thermoplastic elastomer in one of the layers B.

Accordingly, the present invention is different from Yamaoka et al in objects.

The present invention is directed to a base film for medical adhesive tape, which is obtained by laminating, on each side of layer A a layer B, said layer A comprising an amorphous polyolefin, and each of said layers B comprising a polypropylene-based resin, wherein one of said layers B contains a thermoplastic elastomer and the other one of said layers B does not contain a thermoplastic elastomer.

On the other hand, Yamaoka et al describes that both of the layers must contain an elastomer and that when the amount of the elastomer is reduced, the film has problems (column 5, line 5 from the bottom to column 6, line 1). Accordingly, Yamaoka et al does not teach or anticipate the presently claimed invention.

Further, as described above, since Yamaoka et al is silent about the object of the present invention, Applicants respectfully submit that one of ordinary skill in the art would not have been motivated to try the constitution of the present invention wherein only one of the outer layers B comprises an elastomer.

In view of the above, the Examiner is respectfully requested to reconsider and withdraw the rejection.

In view of the above, reconsideration and allowance of this application are now believed

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U.S. Appln. No. 09/829,985

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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